



**PLANNING & SUSTAINABLE DEVELOPMENT**  
Communities, Housing and Infrastructure  
Business Hub 4, Marischal College, Broad Street,  
ABERDEEN. AB10 1AB

## **THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

### **Refusal of Planning Permission**

Mr Drummond Lawson  
7 Kings Gate  
Aberdeen

on behalf of **Mr Drummond Lawson**

With reference to your application validly received on 9 September 2015 for Planning Permission under the above mentioned Act for the following development, viz:-

**ERECTION OF TREE HOUSE TO REAR OF EXISTING DWELLING (RETROSPECTIVE).**  
**at 7 King's Gate, Aberdeen**

the Council in exercise of their powers under the above mentioned Act hereby REFUSE Planning Permission for the said development as specified in the application form and the plan(s) and documents docketed as relative thereto and numbered as follows:-

01, 02, 03, 04, 05.

The reasons on which the Council has based this decision are as follows:-

The proposal would have a negative impact on the residential amenity of the locality and the Albyn Place/Rubislaw Conservation Area. The Development Plan 2012, namely Policies D1 (Architecture and Placemaking), D5 (Built Heritage), the Council's Supplementary Guidance: Householder Development Guide and therefore H1 (Residential Areas) of the Aberdeen Local Development Plan 2012 by virtue of its overall size, scale and prominence to the street and its impact on the setting of the Category 'B' listed building, as it does not preserve the character and amenity of the Albyn Place/Rubislaw Conservation Area in line with the principles of Historic Scotland's SHEP and the associated Managing Change in the Historic Environment - Setting. On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations -

PETE LEONARD  
DIRECTOR

**Continuation**

including the Proposed Aberdeen Local Development Plan - that would warrant approval of the application.

The plans, drawings and documents that are the subject of this decision notice are numbered as follows:- 01, 02, 03, 04, 05.

**Date of Signing 4 December 2015**

A handwritten signature in black ink that reads "Daniel Lewis". The signature is written in a cursive, slightly slanted style.

**Daniel Lewis**  
Development Management Manager

Enc.

**NB. EXTREMELY IMPORTANT INFORMATION RELATED TO THIS REFUSAL OF PLANNING APPROVAL**

The applicant has the right to have the decision to refuse the application reviewed by the planning authority and further details are given in Form attached below.

Regulation 28(4)(a)

Form 1

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

*Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions*

1. If the applicant is aggrieved by the decision of the planning authority to –
  - a. refuse planning permission for the proposed development;
  - b. to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
  - c. to grant planning permission or approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at <http://eplanning.scotland.gov.uk/>.

Notices of review submitted by post should be sent to –

Planning and Sustainable Development  
Communities, Housing and Infrastructure  
Aberdeen City Council  
Business Hub 4  
Ground Floor North  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in it's existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

PETE LEONARD  
DIRECTOR

